

Message Text

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PAGE 01 MADRID 05848 221338Z

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TO SECSTATE WASHDC 2800

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PARIS PASS DEA REGIONAL DIRECTOR

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E.O. 11652: N/A

TAGS: CPRS, PFOR, SNAR, FR, SP

SUBJECT: EXTRADITION: JOSE JIMENEZ CENTOR

REF: A. MADRID 2969 B. MADRID 5091 C. PARIS 20287 D. STATE 167656

1. CONGEN AND POL OFFICER DISCUSSED CENTOR EXTRADITION CASE AGAIN AUG 8 WITH JUDGE IN CHARGE OF PENAL AFFAIRS, APPEALS AND JURISDICTIONAL DISPUTES IN MIN JUSTICE. EMBOFFS TOLD JUDGE THAT U.S. EMBASSY PARIS HAD LOOKED INTO FEASIBILITY OF HAVING CENTOR EXTRADITED UNDER ARTICLE 6 OF FRENCH PENAL CODE BUT THAT GOF HAD INSISTED ON PRIOR WITHDRAWAL OF SPANISH EXTRADITION REQUEST (REFS A & C). JUDGE SAID WITHDRAWAL OF SPANISH REQUEST WOULD DEPEND ON JUDGE WHICH ORIGINALLY PREPARED REQUEST - FIRST JUDGE OF PROVINCIAL COURT OF MALAGA. LATTER WAS HOLDING SECOND SUSPECT IN MURDER CASE IN WHICH CENTOR IS ALLEGEDLY INVOLVED AND ENTIRE PROCEEDINGS WERE BEING HELD UP UNTIL CENTOR IS RETURNED TO SPAIN. JUSTICE MIN JUDGE SAID THAT HE DOUBTED THAT MALAGA JUDGE WOULD ACCEDE TO REQUEST FOR WITHDRAWAL OF REQUEST FOR EXTRADITION..

2. IN RESPONSE TO EMBOFF'S REQUEST FOR SUGGESTIONS

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PAGE 02 MADRID 05848 221338Z

ON HOW TO PROCEED MOST EXPEDITIOUSLY IN REQUESTING OFFICIALLY

WITHDRAWAL OF SPANISH REQUEST, JUDGE SAID A FORMAL NOTE TO MFA WOULD HAVE TO BE FORWARDED BY EMBASSY. IF EMBASSY SENT HIM A COPY OF ITS NOTE, HE VOLUNTEERED TO CABLE IMMEDIATELY TO MALAGA REQUESTING EARLY DECISION FROM LOCAL JUDGE.

3. EMBASSY SENT NOTE VERBALE BASED ON REF D WITH REQUEST FOR WITHDRAWAL OF SPANISH REQUEST FOR EXTRADITION TO MFA AUG 21 WITH COPY TO JUDGE AT MIN JUSTICE. MFA OFFICIAL HAS PROMISED EMBASSY TO CALL JUDGE AT MIN JUSTICE TO URGE EXPEDITIOUS HANDLING OF U.S. REQUEST. EMBASSY WILL REPORT IMMEDIATELY OUTCOME OF THIS DEMARCHE.

4. IN DISCUSSING MATTER WITH MIN JUSTICE JUDGE, EMBOFFS WERE TOLD THAT GOS HAD RECENTLY SIGNED AN AGREEMENT WITH ITALY PROVIDING FOR EXTRADITION OF SPANISH CITIZENS TO ITALY AND VICE VERSA. JUDGE BELIEVED THAT THIS WAS PRACTICE WHICH WOULD PROBABLY BE GENERALIZED IN FUTURE WITH OTHER COUNTRIES. EMBOFFS GATHERED FROM DISCUSSION THAT JUDGE WAS PERHAPS GIVING SIGNAL THAT GOS MIGHT CONSIDER EXTRADITION REQUEST FROM U.S. FOR CENTOR AFTER HE HAS FULFILLED REQUIREMENTS OF SPANISH LAW. IT IS OPTION WHICH SHOULD BE CONSIDERED IF GOS DECIDES NOT TO WITHDRAW ITS REQUEST FOR CENTOR'S EXTRADITION FROM FRANCE.
STABLER

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